

ORDINANCE NO. 041028-42

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 300 NORTH LAMAR BOULEVARD IN THE OLD WEST AUSTIN NEIGHBORHOOD PLAN AREA FROM LIMITED INDUSTRIAL SERVICES-CONDITIONAL OVERLAY-NEIGHBORHOOD PLAN (LI-CO-NP) COMBINING DISTRICT TO LIMITED INDUSTRIAL SERVICES-PLANNED DEVELOPMENT AREA-NEIGHBORHOOD PLAN (LI-PDA-NP) COMBINING DISTRICT.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. The zoning map established by Section 25-2-191 of the City Code is amended to change the base district from limited industrial services-conditional overlay-neighborhood plan (LI-CO-NP) combining district to limited industrial services-planned development area-neighborhood plan (LI-PDA-NP) combining district on the property described in Zoning Case No. C14-04-0135, on file at the Neighborhood Planning and Zoning Department, as follows:

A 1.885 acre tract of land, more or less, out of Outlot 11, Division Z, City of Austin, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance, (the "Property")

locally known as 300 North Lamar Boulevard, in the Old West Austin neighborhood plan area, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "B".

PART 2. A site plan or building permit for the Property may not be approved, released, or issued, if the completed development or uses of the Property, considered cumulatively with all existing or previously authorized development and uses, generate traffic that exceeds 2,000 trips per day.

PART 3. Development of the Property shall comply with Section 25-2-648 (*Planned Development Area Performance Standards*) of the City Code.

PART 4. Development of the Property shall comply with the following use regulations:

1. Except as provided in Sections 3 and 4, all permitted and conditional limited industrial (LI) uses are permitted and conditional uses of the Property.

2. The following are additional permitted uses of the Property:

Townhouse residential
Multifamily residential

Condominium residential

3. The following uses are prohibited uses of the Property:

Basic industry
Exterminating services
Kennels
Resource extraction
Vehicle storage

Drop-off recycling collection facilities
General warehousing and distribution
Recycling center
Scrap and salvage

4. The following uses are conditional uses of the Property:

Automotive rentals
Automotive sales
Convenience storage
Equipment sales
Maintenance and service facilities

Automotive repair services
Automotive washing (of any type)
Equipment repair services
Limited warehousing and distribution

5. A construction sales and service use that exceeds a site area of 10,000 square feet is a conditional use. A laundry services use that exceeds a site area of 6,000 square feet is a conditional use.

PART 5. Except as provided in this Part, development of the Property shall comply with the general commercial services (CS) site development regulations.

1. The minimum front yard setback along Lamar Boulevard is 0 feet.
2. The minimum street side yard setback along West 3rd Street is 5 feet.
3. The minimum rear yard setback along Baylor Street is 0 feet.
4. The maximum floor-to-area ratio is 3.0 to 1.0.

5. The number of dwelling units of the following uses may not exceed a cumulative total of 300 units:

Multifamily residential
Townhouse residential

Condominium residential

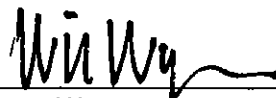
PART 6. Except as otherwise provided in this ordinance, the Property is subject to Ordinance No. 020926-26 that established the Old West Austin neighborhood plan combining district.

PART 7. This ordinance takes effect on November 8, 2004.

PASSED AND APPROVED

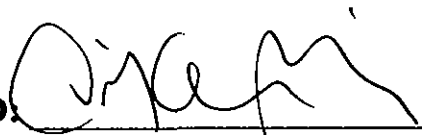
_____, October 28, 2004

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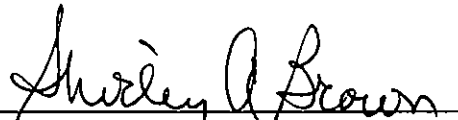
Will Wynn
Mayor

APPROVED:



David Allan Smith
City Attorney

ATTEST:



Shirley A. Brown
City Clerk

1.885 ACRES
RAYMOND PLATEAU DIVISION 3
GOODWILL TRACT

FN. NO. 04-274 (MAZ)
AUGUST 6, 2004
BPI JOB NO. 761-03

EXHIBIT A
DESCRIPTION

OF A 1.885 ACRE TRACT OF LAND OUT OF THE CITY OF AUSTIN OUTLOT 11, DIVISION Z, SITUATED IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, AND BEING ALL OF LOT 10, LOT 11 AND LOT 12 AND A PORTION OF LOT 9, LOT 13, LOT 14, LOT 15 AND LOT 16 OF RAYMOND PLATEAU DIVISION 3, A SUBDIVISION OF RECORD IN VOLUME 1, PAGE 30, PLAT RECORDS TRAVIS COUNTY, TEXAS AND ALSO BEING A PORTION OF THOSE SAME CERTAIN TRACTS OF LAND DESCRIBED IN DEEDS TO GOODWILL INDUSTRIES OF AUSTIN, RECORDED IN VOLUME 5422, PAGE 1827 AND VOLUME 5985, PAGE 28, DEED RECORDS TRAVIS COUNTY, TEXAS; SAID 1.887 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2 inch iron rod found in the easterly right-of-way line of Baylor Street (80' R.O.W.) for the westerly common corner of said Lot 16 and Lot 5, W.D. Hornady Resubdivision of Lots 1-4, recorded in Book 3, Page 18, Plat Records Travis County, Texas, same being the southwest corner of a tract described in a deed to Raymond J. Joseph and Gwynn B. Joseph, recorded in Volume 12454, Page 859, Real Property Records Travis County, Texas, from which a 60-D nail found for the northwesterly corner of said Joseph tract bears N22°38'08"E, a distance of 49.94 feet and also from which a City Of Austin centerline monument found at the intersection of Baylor Street and West 5th Street (80' R.O.W.) bears N22°23'07"E, a distance of 250.27 feet and N67°36'53"W, a distance of 38.97 feet;

THENCE, S67°32'55"E, leaving the easterly right-of-way line of Baylor Street with the northerly line of said Lots 16, 15, 14, 13, 12, 11, 10, and 9, same being in part the southerly line of Lot 5 of said W.D. Hornady Resubdivision of Lots 1-4, and the southerly line of Lots 5, 6, 7, and 8 of said Raymond Plateau Division 3 Subdivision, also being in part the southerly line of said Joseph tract, for the northerly line hereof, a distance of 399.97 feet to a 1/2 inch iron pipe found in the westerly right-of-way line of Lamar Boulevard (R.O.W. varies), being in the westerly line of a State of Texas Right-of-Way tract of record in Volume 1996, Page 436, Deed Records Travis County, Texas, same being the northeasterly corner of the remaining portion of said Lot 9 and hereof, from which a 1/2 inch iron pipe found bears S20°55'29"W, a distance of 1.98 feet;

THENCE, leaving the northerly line of said Lot 9 with the westerly line of said State of Texas Right-of-Way Tract of record in Volume 1996, Page 436, same being the existing westerly right-of-way line of Lamar Boulevard, the following two(2) courses and distances;

- 1) S20°39'39"W, a distance of 70.07 feet to a 1/2 inch iron rod with cap set for an angle point;

- 2) S19°47'28"W, passing at a distance of 137.00 feet, a 1/2 inch iron pipe found, and continuing for a total distance of 138.89 feet to a 1/2 inch iron rod with cap set in the northerly right-of-way line of West 3rd Street, for the southeasterly corner of the remaining portion of said Lot 9 and hereof;

THENCE, N67°29'01"W, with the northerly right-of-way line of West 3rd Street, same being the southerly line of said Raymond Plateau Division 3 subdivision and in part along the southerly face of an old building, a distance of 200.58 feet to an angle point falling within the corner of said old building, same being the easterly corner of a City of Austin Right-of-Way Tract of record in Volume 6094, Page 58, Deed Records Travis County and the southeasterly corner of the 383 square foot tract described in said Volume 5422, Page 1827;

THENCE, leaving the southerly line of said Raymond Plateau Division 3 subdivision with the northerly line of said City of Austin right-of-way tract, same being the northerly right-of-way line of West 3rd Street and the southerly line hereof, the following two(2) courses and distances;

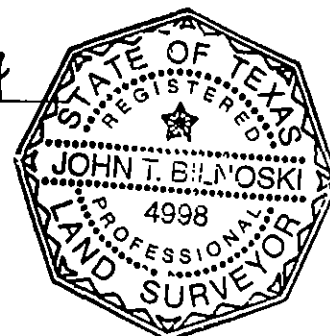
- 1) N62°28'46"W, a distance of 178.40 feet to a 60-D nail found for an angle point;
- 2) N39°29'16"W, a distance of 34.14 feet to a 1 inch square bolt found for the northwesterly corner of said City of Austin Right-of-Way Tract, same being in the easterly right-of-way line of Baylor Street (80' R.O.W.), in the westerly line of said Lot 16 and the westerly line of the 12,817 square foot tract described in said Volume 5985, Page 28, for the southwesterly corner hereof;

THENCE, N22°23'07"E, with the easterly right-of-way line of Baylor Street, same being the westerly line of said Lot 16 and in part the westerly line of said 12,817 square foot tract, a distance of 176.73 feet to the **POINT OF BEGINNING**, containing an area of 1.885 acres (82,122 sq. ft.) of land, more or less, within these metes and bounds.

I, JOHN T. BILNOSKI, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY STATE THAT THIS DESCRIPTION IS BASED UPON A SURVEY MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION. A SURVEY EXHIBIT WAS PREPARED TO ACCOMPANY THIS DESCRIPTION.

BURY & PARTNERS, INC.
ENGINEERS-SURVEYORS
3345 BEE CAVE ROAD
AUSTIN, TEXAS 78746

John T. Bilnoski 8/6/04
JOHN T. BILNOSKI
R.P.L.S. NO. 4998



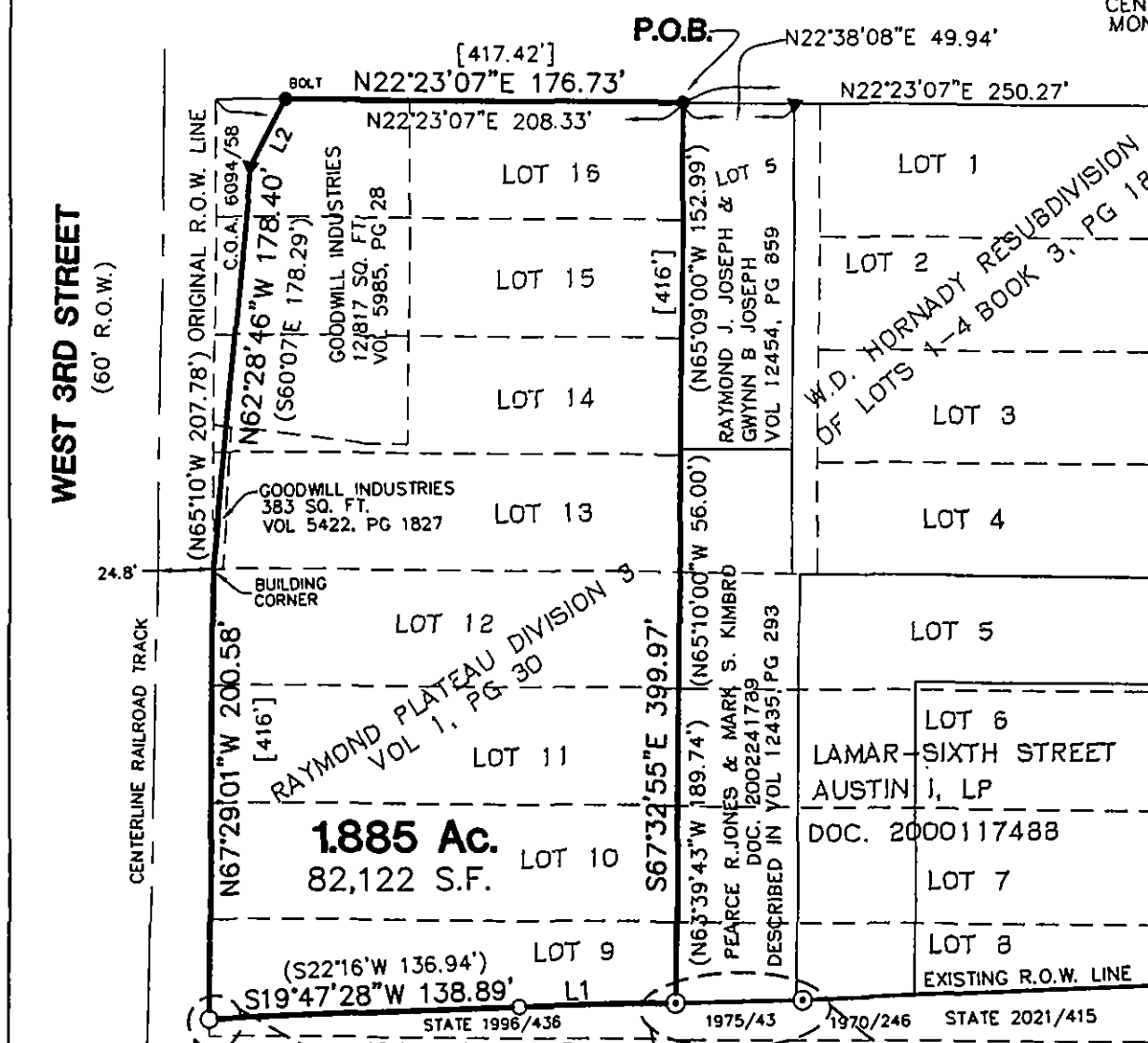
REFERENCES
CITY GRID H-22
TCAD NO.- 0108010714

CITY
CENTERLINE
MONUMENT

N67°36'53"W
38.97'

BEARING BASIS NOTE:

THE BASIS OF BEARINGS OF THIS SURVEY IS REFERENCED TO THE CITY OF AUSTIN MONUMENTS NO. H-22-3001 AND NO. H-22-2001 WHICH ARE BASED ON THE TEXAS COORDINATE SYSTEM, NAD 83, CENTRAL ZONE.



1.885 Ac.
82,122 S.F.

LAMAR BLVD.
(R.O.W. VARIES)

DETAIL

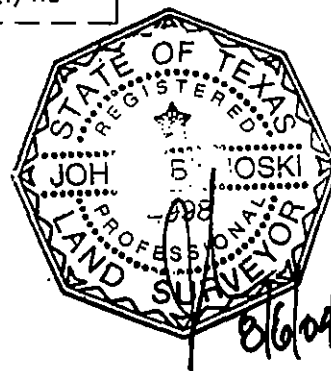
DETAIL

LEGEND

- 1/2" IRON ROD FOUND (UNLESS NOTED)
- ⊙ IRON PIPE FOUND
- △ CALCULATED POINT
- 1/2" IRON ROD SET
- ▲ NAIL FOUND

(XXX) RECORD DEED INFORMATION

[XXX] RECORD INFORMATION VOL 1, PG 30



No.	Bearing	Distance
L1	S20°39'39"W	70.07'
(L1)	S23°09'W	72.05'
L2	N39°29'16"W	34.14'
(L2)	S38°57'E	33.64'

b Bury+Partners
ENGINEERING SOLUTIONS
3345 Bee Caves Road, Suite 200
Austin, Texas 78746
Tel. (512)328-0011 Fax (512)328-0325
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SKETCH TO ACCOMPANY DESCRIPTION

OF A 1.885 ACRE TRACT OF LAND BEING ALL LOTS 10, 11, & 12 AND A PORTION OF LOTS 9, 13, 14, 15, & 16 OF RAYMOND PLATEAU, DIVISION 3, A SUBDIVISION OF OUTLOT 11, DIVISION 2 IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, OF RECORD IN BOOK 1, PAGE 28 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS.

PHOENIX PROPERTY CO.

GOODWILL TRACT

DATE: 08/06/04

FILE: H:\761-03\761-03EXHB1.dwg

FN No.: 04-274(MAZ)

DRAWN BY: MAZ

PROJ. No: 761-03

